

REMARKS

In the outstanding Official Action, the Examiner:

(1) indicated that the drawings filed July 31, 2006 have been accepted and the previous objection has been vacated;

(2) indicated that Applicants' argument regarding the terms "SerialGroupSkill" and "AmbuLocoGroup" were persuasive and the previous objection has been vacated;

(3) rejected claims 1, 3-10 and 16 under 35 USC 103(a) as being unpatentable over Hayes-Roth (U.S. Patent Application Publication No. 2003/0028498) ("Hayes-Roth") in view of Nakazawa et al. (U.S. Patent No. 6,956,575) ("Nakazawa");

(4) rejected claim 12 under 35 USC 103(a) as being unpatentable over the combination of Hayes-Roth and Nakazawa and further in view of Nakisa (U.S. Patent No. 6,968,315) ("Nakisa");

(5) rejected claims 13-14 under 35 USC 103(a) as being unpatentable over the combination of Hayes-Roth and Nakazawa and further in view of Kolawa et al. (U.S. Patent Application Publication No. 2006/0026048) ("Kolawa"); and

(6) rejected claim 15 under 35 USC 103(a) as being unpatentable over the combination of Hayes-Roth and Nakazawa and further in view of Vance (U.S. Patent No. 6,267,672) ("Vance").

Turning first to Items 1 and 2 above, Applicants believe that no response is necessary.

In response to Items 3 through 6 above, Applicants respectfully disagree with the Examiner's rejections, however, Applicants have amended claims 1 and 16 to more clearly define the present invention and distinguish it from the prior art. More particularly, Applicants have added the phrase "and unrelated to" so that it is now clear that the product being

bought is unrelated to the additional virtual element being added to the virtual environment.

Applicants do not believe that the present invention is either anticipated or rendered obvious by the references cited by the Examiner.

With regard to Hayes-Roth and Nakazawa, the Examiner stated in the outstanding Official Action that Hayes-Roth "does not expressly disclose requiring the customer to buy a product". The Examiner also stated that "[i]t would have been obvious to one of ordinary skill in the art at the time of applicant's invention to have modified the method of Hayes-Roth to have included requiring the customer to buy a product, as taught by Nakazawa, as a method of producing more revenue for the character producer".

After reviewing Nakazawa, Applicants respectfully disagree with the Examiner's argument.

Applicants believe that Nakazawa provides a service system which enables a user to easily and positively select and purchase a character which makes a motion that the user needs, and a means for the customer to pay a fee for acquiring the desired motion. This feature of Nakazawa's system allows a user to purchase only the motion that the user needs rather than requiring the user to purchase an entire set of characters and motions in order to acquire the one character or motion that the user wants. In other words, with the system of Nakazawa, you are essentially buying a new element (e.g., a character or a motion) which you need for your piece of software.

Applicants believe that the system of Nakazawa is significantly different than the present invention. More particularly, the object of the present invention is to induce the purchase of a particular product by supplying an additional

virtual element for addition to a virtual environment when that particular product is purchased. The product to be purchased by the user is different from, and unrelated to, the virtual element. In other words, a user is induced to buy a new, unrelated product and, as a result of, or as a reward for, purchasing that product, the user receives a new element for addition into a virtual environment. By way of example but not limitation, the product could be a box of cereal and the box of cereal could contain the necessary code to add an additional virtual element to a virtual environment. This arrangement induces a customer to buy the box of cereal (i.e., the product). In summary, claims 1 and 16 require the customer to buy a product which is different than, and unrelated to, the additional virtual element being added to the system. Applicants do not believe that this limitation is anticipated or rendered obvious by Hayes-Roth and Nakazawa, whether these references are taken alone, or in combination with one another.

Furthermore, Applicants do not believe that the additional references cited by the Examiner (i.e., Nakisa, Kolawa and Vance) remedy the aforementioned deficiencies of Hayes-Roth and Nakazawa.

Accordingly, Applicants believe that claims 1 and 16 are in condition for allowance, and allowance thereof is respectfully requested.

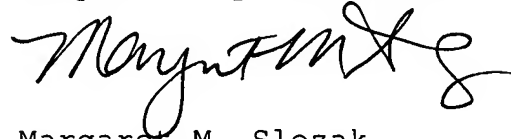
In addition, claims 3-10 and 12-15, which depend from claim 1, either directly or indirectly, are believed to be allowable at least through dependency.

Thus, Applicants believe that this patent application is now in condition for allowance, and allowance thereof is respectfully requested.

In the event that any fees may be required in this matter,  
please charge the same to Deposit Account No. 16-0221.

Thank you.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Margaret M. Slezak', with a stylized flourish at the end.

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